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In re Application of
HOLCOMB, Robert C. :
Application No.: 09/914,402 :
PCT No.: PCT/US97/11261 :
Int. Filing Date: 27 June 1997 :
Priority Date: 27 June 1996 :
Attorney Docket No.: A96158US :
For: WATER TREATMENT DEVICE AND
METHOD :

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 24 August 2001 in the above-captioned application is hereby GRANTED as follows:

Applicant's statement that the "entire delay in submitting the filing fee into the United States Patent and Trademark Office from due date until the filing of this petition was unintentional" meets the requirements of 37 CFR 1.137(b)(3). **The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.** See Changes to Patent and Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office).

A review of the application file reveals that applicant has submitted the basic national fee of \$500 and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration is required.

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